

REMARKS

Claims 1, 2, 6-11, and 13-24 are currently pending. Applicants appreciate the Examiner's allowance of claims 14-24. Remaining claims 1-2, 6-11, and 13 stand rejected.

Rejection Pursuant to 35 U.S.C. §102

The Examiner maintains the rejection of claims 1-2, 6-11, and 13 pursuant to 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,311,866 of Kagan et al. (Kagan). In particular, in response to Applicant's arguments that Kagan does not disclose an active *energy-delivering* electrode, the Examiner disagrees and refers to Col. 2, lines 54-56 of Kagan which states that the "tip electrode assembly 29 provides an electrical potential reference" This passage, however, does not teach or even suggest an *energy-delivering* electrode, as required by the present invention. Rather, the passage discloses an electrode assembly that functions as a reference point to measure electrical potential on the heart surface. Kagan specifically discloses a heart *mapping* catheter that is "used to acquire highly accurate information concerning the electrical activating of the heart from a first set of preferably non-contact electrode sites and/or a second set of in-contact electrode sites." (Col. 2, lines 18-22.) As discussed in the Background Art section of Kagan, mapping catheters are well known in the art and they involve the use of one or more electrodes that are "pressed against the endocardial surface *to record the electrical potential of the cardiac tissue* at that electrode site." (Kagan, Col. 1, lines 31-32.) Accordingly, the electrodes are only used to measure the electrical potential of the heart - - they do not *deliver energy* to ablate or form a lesion on the tissue, as required by independent claim 1 of the present invention.

Independent claim 1 therefore distinguishes over Kagan and represents allowable subject matter. Claims 2, 6-11, and 13 are allowable at least because they depend from an allowable base claim.

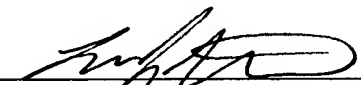
Conclusion

In view of the amendments and remarks above, Applicants submit that claims 1-2, 6-11, and 13-24 are in condition for allowance. In the event that the above amendments and remarks are not deemed to place this case in condition for allowance, an opportunity to interview with the Examiner

is requested. Applicants encourage the Examiner to telephone the undersigned upon receipt of this response to discuss any issues that may remain.

Respectfully submitted,

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